

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

v.

24-MR-80

ROMANE TOUMANI,

Defendant.

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**NOTICE OF MOTION AND MOTION FOR  
STAY OF MAGISTRATE JUDGE'S RELEASE ORDER**

THE UNITED STATES OF AMERICA, by and through its attorney, Trini E. Ross, United States Attorney for the Western District of New York, and the undersigned Assistant United States Attorney, respectfully moves, pursuant to Title 18, United State Code, Section 3145(a)(1), for an Order revoking Magistrate Judge Michel J. Roemer's Order releasing the defendant, entered on February 12, 2024; and the UNITED STATES OF AMERICA further moves for an Order staying said Order of Magistrate Judge Michael J. Roemer until such time as the Court can hear and determine the government's motion for review of the Magistrate Judge's determination on detention.

**IN SUPPORT THEREOF**, the government contends, and for reasons that will be supplemented in the government's forthcoming memorandum of law in support, that the defendant is a Canadian national, with no lawful status to be in the United States, is charged with an assault on a federal officer causing bodily harm in violation of Title 18, United States Code, Section 111(a)(1). The defendant's release would pose a danger to the community and a serious flight risk.

**WHEREFORE**, it is respectfully requested that the Court:

- 1) Stay the order of Magistrate Judge Michael J. Roemer's releasing the defendant until such time as the District Court can hear and determine this motion; and
- 2) Revoke Magistrate Judge Roemer's February 12, 2024 order releasing the defendant from custody and continue defendant's detention pending trial.

DATED: Buffalo, New York, February 12, 2024.

TRINI E. ROSS  
United States Attorney

/s/ ANDREW J. HENNING  
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